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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 09/874,104
Filing Date: June 04, 2001
Appellant(s): HAINES ET AL.

—————————————
Robert C. Sismilich
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 12/07/2009 appealing from the Office action mailed

7/21/2009.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,934,736	SEARS, JR et al	8-2005
7,058,600	COMBAR et al	6-2006
6,748,420	QUANTRANO et al	6-2004
6,539,424	DUTTA	3-2003
6,813,039	SILVERBROOK et al	11-2004

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

RESPONSE TO AMENDMENTS
Claims 6 and 22 have been amended.
Claims 2, 4, 7, 12-14 and 16 have been canceled.

Claims 1, 3, 5, 6, 8-11, 15 and 17-23 are pending.

RESPONSE TO ARGUMENTS

Applicant's arguments with respect to amended claims 6 and 22 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's arguments filed 4/3/2009 regarding independent claims 1, 15, 21 and 23 have been fully considered but they are not persuasive. Examiner's arguments follow.

A.   With respect to claim 1, Applicant argues that the *Combar et al* reference has "no disclosure that the client transmits the cookie to any remote computer, where the remote computer is a different element from the web server as in claim 1".

Examiner respectfully disagrees. As identified in the previous rejection *Sears, Jr. et al* teach the claim limitation that a web client requests and receives a first cookie from a remote computer (i.e., a cookie server) and subsequently transmits both the first cookie and a request for the resource to a web server (*Figure 3, col.2 lines 45-51, col.9 line 28-col.10 line 2*). However as stated in the rejection, *Sears Jr. et al* fail to explicitly teach the claimed limitation of "the Web client receiving input from a user defining the URL; wherein the first request transmitting step is automatically performed in response to receiving the user input; the WEB client receiving the resource and a second cookie from the WEB server; and in response to receiving the second cookie, the WEB client transmitting the second cookie to the remote computer for storage". Nonetheless, *Combar et al* teach a user's web-enabled client device receiving a URL request input from the user, and the user's web-enabled client device receiving the resource and a cookie for each HTTPS request from the web/dispatch server, and subsequently sending the cookie to a separate cookie jar server for storage (*Figure 2, col.7 lines 27-41*). The illustration in Figure 2, makes it apparent that the web/dispatch server and the cookie jar server are separate devices, wherein the separate cookie jar server is used to offload the duties of the web/dispatch server.

B.   With respect to claim 1, Applicant argues that the motivation for combining the *Sears, Jr. et al* reference with the *Combar et al* reference has is lacking and was made in hindsight of Applicant's disclosure.

Examiner respectfully disagrees. The motivation stated "[i]t would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Sears, Jr. et al* with *Combar et al* for transmitting a cookie with the request for a web resource and storing the cookie in a remote storage, in order to customize the requested web

document accordingly with the user's information and maintain the user's cookie data in a

separate location for added security and extended accessibility". This rationale can be found in

Combar et al's disclosure which teaches using a separate cookie jar server for "adding an

additional level of security" (*col.7 lines 40-41*). Cookie jar servers are commonly used in the art

for storing client cookies in safe, external storage separate from the client's device. Applicant's

arguments are therefore unpersuasive and the rejection of claim 1 is maintained.

      C.   With respect to claim 15, Applicant argues that the *Quatrano et al* reference fails to teach that "participants...receive a cookie...from [a] web server and then automatically transmit that cookie to [an] application server".

            Examiner respectfully disagrees. Figure 4 clearly illustrates the cited teachings of

Quatrano et al, wherein a participant makes an HTTP request from the participants browser, and

a shared session is initiated wherein a cookie is generated by an application server and sent with

the resource to the participant. However, as stated in the previous rejection *Quatrano et al* does

not teach the participant send the cookie to a remote server for storage, hence, the rejection was

made in view of *Combar et al* who satisfies this limitation as stated above. *Combar et al* teach a

user's web-enabled client device receiving a URL request input from the user, and the user's

web-enabled client device receiving the resource and a cookie for each HTTPS request from the

web/dispatch server, and subsequently sending the cookie to a separate cookie jar server for

storage (*Figure 2, col.7 lines 27-41*). The illustration in Figure 2, makes it apparent that the

web/dispatch server and the cookie jar server are separate devices, wherein the separate cookie

jar server is used to offload the duties of the web/dispatch server. Applicant's arguments are

therefore unpersuasive and the rejection for claim 15 is maintained.

CLAIM REJECTIONS - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

Claims 1, 3, 5 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Sears, Jr. et al (US 6,934,736) in view of *Combar et al* (US 7,058,600).

a.   Regarding claim 1, *Sears, Jr. et al* teach a method of requesting a resource having

a URL from a WEB server, comprising:

- a Web client transmitting a first request to a remote computer for a cookie that is
  valid for the URL (*Abstract, Figures 3 and 4, col.9 lines 4-11, col.11 lines 61-
  63—client request cookie associated with a selected website from the cookie
  server*); then

- a Web client receiving a first cookie from the remote computer (*col.2 lines 45-49,
  col.9 line 28-col.10 line 2—the client receives a cookie from the cookie server*);
  and

- a Web client transmitting both the first cookie and a request for the resource to the
  WEB Server (*Figure 3, col.2 lines 49-51—client then connects to the website and
  provides the cookie to the website*).

Sears, Jr. et al's teaching of connecting to the desired website and providing the

cookie to the website implies that the website request and the cookie are both sent to a web

server in order to access a customized resource from the website (*col.11 lines 56-60*). However,

Sears, Jr. et al fail to explicitly teach the Web client receiving input from a user defining the

URL; wherein the first request transmitting step is automatically performed in response to

receiving the user input; the WEB client receiving the resource and a second cookie from the

WEB server; and in response to receiving the second cookie, the WEB client transmitting the

second cookie to the remote computer for storage. Nonetheless, *Combar et al* explicitly teach
that the client includes the cookie in the request for content to the server and transmitting the
newly generated, unique cookie to a web server, dispatch server or separate cookie jar server for
storage (*col.7 lines 27-41*).

It would have been obvious to one of ordinary skill in the art at the time the
invention was made to combine the teachings of *Sears, Jr. et al* with *Combar et al* for
transmitting a cookie with the request for a web resource and storing the cookie in a remote
storage, in order to customize the requested web document accordingly with the user's
information and maintain the user's cookie data in a separate location for added security and
extended accessibility.

b.   Claim 21 contains limitations that are substantially equivalent to claim 1 and is
therefore rejected under the same basis.

c.   Regarding claim 3, *Sears, Jr. et al* with *Combar et al* teach the method of claim 2,
Sears, Jr. et al further teach wherein the first request transmitting step is performed by
transmitting the first request over a network to the remote computer (*col.9 lines 4-11, col.11 lines
61-63; Combar et al—col.7 lines 27-41*).

d.   Regarding claim 5, *Sears, Jr. et al* with *Combar et al* teach the method of claim 3,
Sears, Jr. et al further teach wherein the network comprises the INTERNET (*col.5 lines 23-25;
Combar et al—col.10 lines 31-42*).

Claims 15, 17 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over
Quatrano et al (US 6,748,420) in view of *Combar et al* (US 7,058,600).

a.   Per claim 15, *Quatrano et al* teach a system comprising:

- a first WEB client (*col.5 lines 3-8*);

- a second WEB client (*col.5 lines 3-8*);

- a computer remote from the first WEB client and the second WEB client ();
- wherein the first WEB client is operable to: receive a first resource and a first cookie from a first WEB Server and configured to automatically respond thereto by processing the first resource and transmitting the first cookie to a remote computer (*col.7 lines 7-35*); and receive a URL from a user and is responsive thereto by first transmitting a request to the remote computer for a cookie that is valid for the URL (*col.14 lines 19-55*); and

- wherein the second WEB client is operable to receive a second resource and a second cookie from a second WEB server and configured to automatically respond thereto by processing the second resource and transmitting the second cookie to the remote computer (*col.7 lines 36-60, col.9 lines 1-28, col.15 lines 27-42*); and

- wherein the remote computer is operable to receive the request from the first WEB client and is responsive thereto by: (a) transmitting the stored first cookie to the first WEB client if the stored first cookie is valid for the URL; and (b) transmitting the stored second cookie to the first WEB client if the stored second cookie is valid for the URL (*col.23 line 27-col.24 line 30—transmitting the cookie with the HTTP URL request and for each user if the cookie is valid for the requested web page*).

    Quatrano et al fail to explicitly teach wherein the remote computer is operable to receive the first cookie from the first WEB client and to then store the first cookie; and wherein the remote computer is operable to receive the second cookie from the second WEB client and to then store the second cookie; and. Nonetheless, *Combar et al* teach that the client includes the cookie in the request for content to the server and transmitting the newly generated, unique cookie to a web server, dispatch server or separate cookie jar server for storage (*col.7 lines 27-41*).

    It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Quatrano et al* with *Combar et al* for

transmitting a cookie with the request for a web resource to multiple users and storing the cookie in a remote storage, in order to customize the requested web document accordingly with the user's information and maintain the user's cookie data in a separate location for added security and extended accessibility.

      b.   Claim 23 contains limitations that are substantially equivalent to claim 15 and is therefore rejected under the same basis.

      c.   Regarding claim 17, *Quatrano et al* with *Combar et al* teach the system of claim 15, *Quatrano et al* further teach the system further comprising a monitoring device operable to monitor a first device to detect when the device generates a pre-defined signal and to respond thereto by generating a notification that the signal was generated; and wherein the first WEB client and the second WEB client are operable by a user to retrieve the notification (*col.25 lines 32-57, col.26 line 45-col.27 line 21, col.28 lines 3-28*).

> Claims 6, 8-11 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Dutta* (US 6,539,424) in view of *Quatrano et al* (US 6,748,420).
>
> a.   Regarding claim 6, *Dutta* teaches a computing device, comprising:
>
> - means for receiving, at the computing device, from a first web client, a first cookie that is valid for a first range of URLs, the first cookie provided to the first web client by a web server (*col.4 lines 29-56—server-side cookie storage receives cookie from client wherein the cookie was provided to the client by a content producer web server*);
>
> - means for receiving, at the computing device a first request for a cookie that is valid for a first URL (*col.5 lines 56-66—client request cookie associated with a selected URL from the server-side cookie storage*);
>
> - and means for responding to the first request by transmitting the first cookie from the computing device (*col.5 line 55-col.6 line 16—server-side cookie storage provides the cookie to the client*).

Yet *Dutta* fails to explicitly teach receiving a first request for a cookie from a second WEB client different from the first WEB client, and transmitting the first cookie to the second WEB client if the first URL is within the first range of URLs, the second web client adapted to transmit the first cookie to the web server, wherein the computing device is different from the first and second web clients and the web server. However *Quatrano et al* teach the sharing of cookies among a group of web clients, wherein a cookie transmitted to a first user may also be sent to a second user upon request for the URL (*col.7 lines 26-col.8 line 52, col.9 lines 16-43, col.15 lines 27-42, col.16 lines 1-7, col.21 lines 45-57, col.22 lines 45-54, col.23 lines 41-60, col.24 lines 41-55*).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Dutta* with *Quatrano et al* in order to provide shared access of a website to multiple users, by permitting the sharing of cookies from one client to another without compromising the privacy of each client's information.

b.   Claims 9, 10 and 22 contain limitations are substantially equivalent to claim 6 and are therefore rejected under the same basis.

c.   Regarding claim 8, *Dutta* with *Quatrano et al* teach the computing device of

claim 6, *Dutta* further teaches wherein the first cookie receiving means is configured to receive

the first cookie from the first WEB client over a network; and wherein the first request

responding means is configured to transmit the first cookie to the send WEB client over the

network (*col.4 lines 29-56, col.5 lines 55-66; Quatrano et al—col.16 lines 1-7, col.21 lines 45-

57, col.22 lines 45-54, col.23 lines 41-60, col.24 lines 41-55*).

d.   Regarding claim 11, *Dutta* with *Quatrano et al* teach the computing device of

claim 10, *Dutta* further teaches wherein the network comprises the INTERNET (*col.3 line 66-

col.4 line 66; Quatrano et al—col.12 lines 56-60*).

Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Quatrano et
al* (US 6,748,420) in view of *Combar et al* (US 7,058,600) and further in view of
Silverbrook et al (US 6,813,039).

a.   Regarding claim 18, *Quatrano et al* with *Combar et al* teach the system of claim

17, as applied above, yet fail to teach a printer. However, *Silverbrook et al* teach a printer

wherein the sensing device that monitors the status of the printer (*Abstract, col.24 lines 6-8*). It

would have been obvious to one of ordinary skill in the art at the time the invention was made to

combine the teachings of *Quatrano et al* and *Combar et al* with *Silverbrook et al* by having a

monitoring device for a printer; because this allows the users to monitor the printer's status to

determine when maintenance is required.

b.   Regarding claim 19, *Quatrano et al* and *Combar et al* with *Silverbrook et al* teach

the system of 18, *Silverbrook et al* further teach the system comprising: the printer; and wherein

the printer includes a replaceable consumable cartridge; and wherein the printer is operable to

generate the signal when a consumable in the cartridge moves below a pre-determined level (*col.23 line 50*).

      c.   Regarding claim 20, *Quatrano et al* and *Combar et al* with *Silverbrook et al* teach the system of claim 19, *Silverbrook et al* further teach wherein the printer is a laser printer (*col.15 lines 30-32*).

(10) Response to Argument

    A.   **With respect to claims 1, 3, 5 and 21—Appellant argues that the 35 US 103(a) rejection made under *Sears Jr. et al* in view of *Combar et al* is improper for the following reasons: (1) failing to teach the claim limitation of "a web client transmitting a second cookie received from a web server to a remote computer for storage" and (2) there is no articulated reasoning to combine the references teachings.**

    Examiner respectfully disagrees. In regards to the claim limitation of "a web client transmitting a second cookie received from a web server to a remote computer for storage" *Combar et al* explicitly teach a web browser-enabled client device receiving a URL resource and a cookie for each HTTPS reply from the web/dispatch server and subsequently sending each received cookie to a separate cookie jar server for storage (*col.7 lines 27-41*). *Combar et al* explicitly states that the client holds the cookie and returns it to the remote cookie jar server (*col.7 lines 32-34*). This teaching of *Combar et al* is more than sufficient for fulfilling the functionality of the claim language since the cookies received from the web server are transmitted to a remote cookie jar server which stores the cookies associated with the web server's reply to the client's web server request.

This teaching from *Combar et al* in conjunction with the teachings from cited primary art *Sears Jr. et al* which disclose a web client requesting and receiving a first cookie from a remote computer/cookie server and subsequently transmitting both the first cookie and a request for a resource to a web server (*Figure 3, col.2 lines 45-51, col.9 line 28-col.10 line 2*). The teachings of *Combar et al* modify the teachings of *Sears Jr. et al* by disclosing that upon receiving a resource reply back from the web server, the cookie associated with the reply is stored in the cookie server, which the rationale that storing cookies a separate/remote cookie jar server adds "an addition level of security" to the system (*Combar et al, col.6 lines 40-41*). This modification is not unreasonable nor is the motivation to combine impractical based on the functionality of the inventions described in *Combar et al* and *Sears, Jr. et al.*

B.   **With respect to claims 6, 8-11 and 22—Appellant argues that the 35 US 103(a) rejection made under *Dutta* in view of *Quantrano et al* is improper for the following reasons: (1) failing to teach the claim features of "means for receiving at the computing device, from a first web client, a first cookie that is valid for a first range of URL's, the first cookie provided to the first web client by a web server, and means for receiving at the computing device a first request for a cookie that is valid for a first URL from a second web client"; and (2) there is no articulated reasoning to combine or modify the references teachings.**

Examiner respectfully disagrees. As stated in the latest final rejection, *Dutta* teaches the limitations of "means for receiving at the computing device, from a first web client, a first cookie that is valid for a first range of URL's, the first cookie provided to the first web client by a web server, and means for receiving at the computing device a first request for a cookie that is valid for a first URL from a second web client". *Dutta* discloses that the server-side cookie storage receives a cookie from a client, with the cookie being provided to the client by a content

producer web server to determine which pages are accessible to the client (*col.4 lines 50-59, col.6 lines 6-10 and 24-27*). The cookie's use to determine which pages are accessible to the client achieves the claim language functionality for a cookie that is valid for a first range of URL, because the accessible pages comprise a range of URLs for which the cookie is valid.

   The motivation for combining *Dutta* with *Quantrano et al* as stated in the latest final rejection was to achieve the claim limitations of "a first request for a cookie from a second WEB client different from the first WEB client, and transmitting the first cookie to the second WEB client if the first URL is within the first range of URLs, the second web client adapted to transmit the first cookie to the web server, wherein the computing device is different from the first and second web clients and the web server. However *Quatrano et al* teach the sharing of cookies among a group of web clients, wherein a cookie transmitted to a first user may also be sent to a second user upon request for the URL (*col.7 lines 26-col.8 line 52, col.9 lines 16-43, col.15 lines 27-42, col.16 lines 1-7, col.21 lines 45-57, col.22 lines 45-54, col.23 lines 41-60, col.24 lines 41-55*). As stated, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Dutta* with *Quatrano et al* in order to provide shared access of a website to multiple users, by permitting the sharing of cookies from one client to another without compromising the privacy of each client's information.

        C.   **With respect to claims 15, 17 and 23—Appellant argues that the 35 US 103(a)
rejection made under *Quantrano et al* in view of *Combar et al* is improper for
the following reasons: (1) failing to teach the claim limitations of "a client
being operable to receive a (first and second) cookie from a web server and
automatically transmit the (first and second) cookie to a remote computer,
and the remote computer being operable to receive the (first and second)
cookie from the web client and then to store the (first and second) cookie"
and (2) there is no articulated reasoning to combine the references teachings.**

        Examiner respectfully disagrees. In regards to the claim limitation of "a client

being operable to receive a (first and second) cookie from a web server and automatically

transmit the (first and second) cookie to a remote computer, and the remote computer being

operable to receive the (first and second) cookie from the web client and then to store the (first

and second) cookie" *Quantrano et al* clearly disclose teachings that achieve the functionality of

the limitation wherein a participant makes an HTTP request from the participants browser, and a

shared session is initiated wherein a cookie is generated by an application server and sent with

the resource to the participant. However, as stated in the previous rejection *Quatrano et al* does

not teach the participant sending the cookie to a remote server for storage, hence, the rejection

was made in view of *Combar et al* which satisfies this limitation as stated above; wherein

Combar et al teach a user's web-enabled client device receiving a URL request input from the

user, and the user's web-enabled client device receiving the resource and a cookie for each

HTTPS request from the web/dispatch server, and subsequently sending each cookie to a

separate cookie jar server for storage (*Figure 2, col.7 lines 27-41*). *Combar et al* explicitly states

that the client holds the cookie and returns it to the remote cookie jar server (*col.7 lines 32-34*).

The illustration in Figure 2, makes it apparent that the web/dispatch server and the cookie jar

server are separate devices, wherein the separate cookie jar server is used to offload the duties of

the web/dispatch server.

        D.   **With respect to claims 18-20—Appellant argues that the 35 US 103(a) rejections made under *Quantrano et al* in view of *Combar et al* in further view of *Silverbrook et al* is improper for based on the above arguments of their respective independent claim 15.**

        Examiner respectfully disagrees. As discussed above in the responses to

arguments A through D, rejections of the limitations of claim 15 under the cited prior art of

record are substantiated and maintained. Therefore the dependent claims remain rejected based

on their dependency from rejected claim 15 and the rejections made under *Quantrano et al* in

view of *Combar et al* in further view of *Silverbrook et al* for the additional limitations stated in

each of these dependent claims.

        For the above reasons, it is believed that the rejections should be sustained.

(11) Related Proceeding(s) Appendix

        No decision rendered by a court or the Board is identified by the examiner in the Related

Appeals and Interferences section of this examiner's answer.

        Respectfully submitted,

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        Examiner, Art Unit 2444

/KDS/

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